

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

C. MICHAEL GONZALEZ-AGUILERA,	)	
	)	
Petitioner,	)	
	)	2:12-cv-00687-TC
	)	
v.	)	
	)	ORDER
RICK COURSEY,	)	
	)	
Respondent.	)	

Magistrate Judge Thomas M. Coffin filed Findings and Recommendation on July 5, 2012, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc.,

656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Petitioner has timely filed objections. I have, therefore, given de novo review of Magistrate Judge Coffin's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Coffin's Findings and Recommendation filed July 5, 2012, in its entirety. Respondent's motion to dismiss (#8) is allowed. Petitioner's petition (#1) is denied without prejudice. This proceeding is dismissed. The clerk of court is directed to enter judgment accordingly.

IT IS SO ORDERED.

DATED this 20<sup>th</sup> day of August, 2012.

Michael R. Hogan  
UNITED STATES DISTRICT JUDGE